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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,237	10/18/2003	Munif Farhan Halloush	DC-03112	2472
33438 7590 03/20/2008 HAMILTON & TERRILE, LLP P.O. BOX 203518 AUSTIN, TX 78720				
EXAMINER				
GOMA, TAWFIK A				
ART UNIT		PAPER NUMBER		
2627				
NOTIFICATION DATE		DELIVERY MODE		
03/20/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/688,237

Applicant(s)

HALLOUSH ET AL.

Examiner

TAWFIK GOMA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 15-17 is/are allowed.
6) ☒ Claim(s) 1-4, 7-10, 12, 13 and 18-20 is/are rejected.
7) ☒ Claim(s) 5, 6, 11 and 14 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

This action is in response to the amendment filed on 2/21/2008.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-10, 12-13 and 18-20 rejected under 35 U.S.C. 102(e) as being anticipated by Pereira (US 6915374).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Pereira discloses an information handling system comprising: information processing components operable to generate information for storage (10, fig. 1); an optical drive interfaced with the processing components and operable to accept the information for storage and to write the information to an optical medium according to a write strategy having a write speed (col. 1 lines 49-60 and col. 3 lines 11-15); a write strategy table associated with the optical drive and having plural optical medium identification codes, each optical

medium identification code having an associated write strategy (20, fig. 1); a general write strategy table associated with the optical drive and having plural preassigned optical medium identification codes, each preassigned optical medium identification code associated with one of plural general write strategies (22, 24, fig. 1 and col. 5 lines 21-30); each preassigned optical medium identification code associated with an optical medium planned for development by an optical medium manufacturer (col. 1 lines 64-67 and col. 2 lines 55-60), write strategy module operable to read an optical medium identification code from an optical medium and to provide the optical drive with the associated write strategy (18, fig. 1), the write strategy module further operable to read a preassigned optical medium identification code and to provide the optical drive with the associated general write strategy (col. 5 lines 18-30).

Regarding claim 2, Pereira further discloses a generic write strategy associated with unknown optical medium identification codes, wherein the write strategy module is further operable to read an unknown optical medium identification code and to provide the optical drive with the generic write strategy associated with unknown identification codes (col. 5 lines 12-16).

Regarding claim 3, Pereira further discloses wherein each preassigned optical medium identification code is preassigned by optical media manufacturer and associated with a write strategy for writing information with the optical disc drive to an optical medium of the optical media manufacturer (col. 4 lines 18-21).

Regarding claim 4, Pereira further discloses wherein each preassigned optical medium identification code is associated with an optical medium identification code of the write strategy table (col. 4 lines 21-25).

Regarding claim 7, Pereira further discloses wherein the optical disc drive comprises a DVD disc drive (col. 4 lines 11-15).

Method claims 8 and 9 are drawn to the method of using the corresponding apparatus claimed in claims 1 and 2 and 6 respectively. Therefore method claims 8 and 9 correspond to apparatus claims 1 and 2 and are rejected for the same reasons of anticipation as applied above.

Regarding claim 10, Pereira further discloses reading an optical medium identification code from an optical medium with the optical disc; determining that the optical medium identification code is a preassigned optical medium identification code; and writing information to the optical medium with the general write strategy associated with the preassigned optical medium identification code (col. 5 lines 3-12).

Regarding claim 12, Pereira further discloses preassigning identification codes by optical media manufacturer (col. 4 lines 21-25); and associating one or more write strategy parameters with a preassigned optical medium identification code according to a time stamp appended to the identification code (col. 4 lines 56-60).

Regarding claim 13, Pereira further discloses wherein the write strategy parameter comprises write speed (col. 1 lines 49-60 and col. 3 lines 11-15).

Regarding claim 18, Pereira discloses everything regarding the optical disc drive as applied to claim 1 above. Pereira further discloses wherein the planned optical media has design parameters and the write strategy associated with the preassigned optical medium identification code providing for writes according to the design parameters (col. 1 lines 64-67 and lines 48-64).

Regarding claim 19, Pereira further discloses wherein the write strategy parameter comprises write speed (col. 1 lines 49-60 and col. 3 lines 11-15).

Regarding claim 20, Pereira further discloses wherein the preassigned optical medium identification code is preassigned by optical medium manufacturer and wherein the design parameters relate to an existing optical medium of the optical medium manufacturer (col. 4 lines 21-37).

Allowable Subject Matter

Claims 5-6, 11 and 14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15-17 are allowed.

Response to Arguments

Applicant's arguments, see pages 7-8 or the response filed 2/21/2008, with respect to claims 5, 6, 11, 14 and 15-17 have been fully considered and are persuasive. The 35 U.S.C. 103 (a) rejections of the claims has been withdrawn.

/Applicant's arguments with respect to independent claims 1, 8, and 18 and the rejection based on Pereira (US 6915574) are not persuasive. Applicant's argument that Pereira does not disclose "preassigned" codes because Pereira downloads information for unrecognized codes is not persuasive because the table that contains the preassigned codes in Pereira resides on a network such as a manufacturer website, and contains write strategies that match preassigned codes (col. 5 lines 24-33). Applicant's arguments continue to infer that the claim requires that the preassigned codes must reside on the optical drive, and that the use of an external source for

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the table of codes by Pereira does not disclose the claimed invention. The examiner disagrees with this assertion because the claim requires that the table be "associated" with the drive, and the use of an external table on (for example the manufacturer website) discloses the claimed invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAWFIK GOMA whose telephone number is (571)272-4206. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Feild Joseph can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph H. Feild/
Supervisory Patent Examiner, Art Unit
2627

/Tawfik Goma/
Examiner, Art Unit 2627